

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AMY L. SIMPLER, HANK SMITH, and)	
DAVID C. DELPERCIO,)	
)	
Plaintiffs,)	C.A. No. 1:19-cv-01519-LPS
)	
v.)	
)	
HSBC NORTH AMERICA HOLDINGS, INC.)	
)	
Defendant.)	

DEFENDANTS' MOTION TO DISMISS

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendant HSBC North America Holdings, Inc. hereby moves to dismiss the Complaint in this action. The grounds for this motion are set forth more fully in the accompanying opening brief.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

OF COUNSEL:

Samuel P. Myler
Nancy G. Ross
Megan S. Webster
MAYER BROWN LLP
71 S. Wacker Drive
Chicago, IL 60606
(312) 782-0600
nross@mayerbrown.com
megan.webster@mayerbrown.com
smyler@mayerbrown.com

/s/ Ryan D. Stottmann
Kenneth J. Nachbar (#2067)
Ryan D. Stottmann (#5237)
Sabrina M. Hendershot (#6286)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19801
(302) 658-9200
knachbar@mnat.com
rstottmann@mnat.com
shendershot@mnat.com
Attorneys for Defendant HSBC North America Holdings, Inc.

September 20, 2019

CERTIFICATE OF SERVICE

I, Sabrina M. Hendershot, hereby certify that on September 20, 2019, I caused the foregoing document to be electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

Brian B. Gottesman
David B. Anthony
Peter C. McGivney
Berger Harris LLP
1105 N. Market Street, Suite 1100
Wilmington, DE 19801

/s/ Sabrina M. Hendershot
Sabrina M. Hendershot (#6286)